

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAVVAN, INC.,

Plaintiff,

-against-

AMYRIS, INC.,

Defendant.

No. 20-cv-07386 (JPO)

Oral Argument Requested

**NOTICE OF AMYRIS, INC.'S
MOTION TO COMPEL
ARBITRATION OR, IN THE
ALTERNATIVE, TO DISMISS FOR
FAILURE TO STATE A CLAIM
UNDER FEDERAL RULE OF
CIVIL PROCEDURE 12(b)(6)**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, dated October 2, 2020, the accompanying declaration of Oliver J. Fong, dated October 2, 2020, together with exhibits thereto, and all prior pleadings, papers, and proceedings had herein, and such argument as may be received by this Court at the time of hearing, Defendant Amyris, Inc. will respectfully move this Court, before the Honorable Paul Oetken, United States District Judge, in Courtroom 706 of the United States District Court for the Southern District of New York, 40 Foley Square, New York, New York, for an Order pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1-16 and 9 U.S.C §§ 201 *et seq.* (“FAA”) (1) compelling Plaintiff Lavvan, Inc. to comply with its agreement and resolve this dispute through arbitration and dismissing this litigation in its entirety; or (2) in the alternative, dismissing this litigation under Federal Rule of Civil Procedure 12(b)(6).

Dated: New York, New York
October 2, 2020

Respectfully submitted,

By: /s/ Brian A. Rosenthal

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